

KATHLEEN A. LEAVITT  
CHAPTER 13 BANKRUPTCY TRUSTEE  
201 Las Vegas Blvd South  
Suite 200  
Las Vegas, NV 89101  
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**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

IN RE:  
CHARLES CANGELOSI

CASE NO: BKS-14-10130-LED

CHAPTER 13

Hearing Date: May 15, 2014

Hearing Time: 1:30 pm

CROSBY & FOX LLC  
Attorney for the Debtor

**AMENDED TRUSTEE'S OPPOSITION TO CONFIRMATION OF PLAN #1  
COMBINED WITH TRUSTEE'S RECOMMENDATION FOR DISMISSAL**

The Trustee herein, Kathleen A. Leavitt, hereby objects to confirmation of Plan and hereby represents the following:

The debtor(s) filed for Chapter 13 relief on 01/09/2014. The 341(a) Meeting of Creditors held on April 22, 2014 at 11:00 am was:

- Taken off calendar

The Trustee objects to confirmation of the Chapter 13 Plan for the following reason (s):

- Debtor(s) failed to appear[11 USC § 341 (a)]: CHARLES CANGELOSI
- Debtor(s) are delinquent in plan payments
- Debtor(s) failed to comply with notice/re-notice requirements [B.R. 2002 (a)(1)B.R.2002 (b)] Plan
- Want of prosecution and unreasonable delay by the debtor (s) that is prejudicial to creditors has been caused by the failure of the attorney for the debtor to appear at the §341 Meeting of Creditors . BR1017(d)
- Plan is not feasible [11USC 1322] due to: Santander Consumer; Franchise Tax Board
- The Plan fails to provide for all of the Debtor's disposable income [11 USC § 1325 (b)(1)(B)] based on per Schedule J
- The Plan fails to meet liquidation value [11 USC § 1325(a)(4)] based on the following non-exempt property: \$9,100 (vehicles)
- Trustee objects to the exemptions claimed as the exemptions are not allowed under NRS 21 .090 or the amounts specified exceed the allowable exemption: Specifically: object to 21 .090(1) with 100% FMV language
- Debtor failed to file tax returns for tax years 2011 , 2012, 2013 (Federal and State of California). [11 USC § 1308(a) and § 1307(e)]
- Debtor(s) owe pre-petition arrears on an obligation to a Conduit Creditor . Therefore, pursuant to Administrative Order 2013-04, Debtor(s) must make all ongoing post-petition payments through the Chapter 13 Plan as Conduit Payments for the following property: 2011 BMW and 2002 Saturn L200

The Debtor(s) has failed to cooperate with the Trustee [11 USC § 521(a)(3)] as the following documents were not provided:

- All tax returns for all taxable periods ending during the 4-year period ending on the date of the filing of the petition. Specifically, tax years Non-Filing Spouse 2009-2013

- Paystubs for the following periods: March - May 2014 11 USC §704(a)(4) and/or 11 USC §521(a)(1)(B)(iv)
- Need valuation of the following vehicles: 2011 BMW and 02 Saturn L200

Debtor(s) failed to cooperate with the Trustee as necessary to enable the Trustee to perform her duties pursuant to 11 U.S.C. §704 and/or §1302 as the Debtor did not provide the following documents or must file the stated amendments:

- Verification of Proof of Homestead; Poker Entertainment Network stock .
- Bank Statements for the following periods: Chase #4626: 7/9/13 - 8/31/13 .
- Amendment to Form B22C Chapter 13 Statement of Current Monthly Income and Calculation of Commitment Period and Disposable Income: below median .
- Amendment to Plan: 1.12 tax refund coming into plan need to commence with 2013; move Santander to section 2.11 if intention is for payment to be direct; debtor to clarify what will/did happen to other 2 payments (in the 60 month commitment period) for conduit creditors Chase Home Mortgage and Wells Fargo Home Mortgage .
- Amendment to Schedule F. Creditors Holding Unsecured Nonpriority Claims: list address for Martin Segal .

WHEREFORE, the Trustee objects to confirmation and recommends that this case be dismissed .

Dated: 4/23/14

/s/ Kathleen A. Leavitt  
Kathleen A. Leavitt  
Chapter 13 Trustee

KATHLEEN A. LEAVITT  
CHAPTER 13 STANDING TRUSTEE  
201 Las Vegas Blvd South  
Suite 200  
Las Vegas, NV 89101  
(702) 853-0700

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

**IN RE:**

**CHARLES CANGELOSI**

**CASE NO: BKS-14-10130-LED  
Chapter 13**

**Debtor (s)**

**CERTIFICATE OF SERVICE**

1. On April 23, 2014, I served the following document(s):

**AMENDED TRUSTEE'S OPPOSITION TO CONFIRMATION OF PLAN #1 COMBINED WITH  
TRUSTEE'S RECOMMENDATION FOR DISMISSAL**

2. I served the above-named documents(s) by the following means to the persons as listed below:

**United States mail, postage fully prepaid**

CHARLES CANGELOSI  
5583 HAWLEY CT  
LAS VEGAS, NV 89118-1856

CROSBY & FOX LLC  
711 SOUTH EIGHTH STREET  
LAS VEGAS, NV 89101

**I declare under penalty of perjury that the foregoing is true and correct.**

Signed on: 4/23/14

/s/ Esther Carr  
\_\_\_\_\_  
Employee of  
Kathleen A. Leavitt  
Chapter 13 Standing Trustee